

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
SHC0029

In Re Application Of: Toshio Kobayashi et al.

Serial No.  
09/220,223

Filing Date  
December 23, 1998

Examiner  
E. Cole

Group Art/Unit  
1771

Invention: NONWOVEN FABRIC AND METHOD FOR MAKING SAME

JUL 26 2001

RECEIVED  
JUL 31 2001  
TC 1700

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of

January 30, 2001 in the above-identified application.

*Date*

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated January 30, 2001 finally rejecting Claim(s) 1-3 and 6-8

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month  Two months  Three months  Four months  Five months

from: May 30, 2001 *Date* until: July 30, 2001 *Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$310.00

Fee for Extension of Time: \$390.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$700.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

A check in the amount of \$700.00 for the Notice of Appeal and extension of time is enclosed.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-0385  
A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-0385 A duplicate copy of this sheet is enclosed.

07/17/2001 SDENB001 0000094 09220223

310.00 0P  
300.00 0P

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
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E. Cole

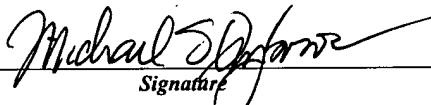
Group Art Unit  
1771

Invention: NONWOVEN FABRIC AND METHOD FOR MAKING SAME

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JUL 31 2001  
TC 1700

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
Signature

Dated: July 23, 2001

Michael S. Gzybowski, Reg. No. 32,816  
Baker & Daniels  
111 East Wayne Street, Suite 800  
Fort Wayne, IN 46802  
(219) 424-8000

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.

\_\_\_\_\_  
(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing**

I certify that this document and fee is being deposited on July 23, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

Michael S. Gzybowski

Typed or Printed Name of Person Mailing Correspondence

\*This certificate may only be used if paying by deposit account.

CC:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

AP/17718

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT **\$700.00**

## Complete if Known

|                      |                         |  |  |
|----------------------|-------------------------|--|--|
| Application Number   |                         |  |  |
| Filing Date          | 09/220,223              |  |  |
| First Named Inventor | Toshio Kobayashi et al. |  |  |
| Examiner Name        | E. Cole                 |  |  |
| Group Art Unit       | 1771                    |  |  |
| Attorney Docket No.  | SHC0029                 |  |  |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  
 Deposit Account Number **02-0385**

Deposit Account Name **BAKER & DANIELS**

Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status. See 37 CFR § 1.27

2.  Payment Enclosed:  
 Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description               | Fee Paid |
|----------------------------|----------------------------|-------------------------------|----------|
| 101                        | 710                        | 201 355 Utility filing fee    |          |
| 106                        | 320                        | 206 160 Design filing fee     |          |
| 107                        | 490                        | 207 245 Plant filing fee      |          |
| 108                        | 710                        | 208 355 Reissue filing fee    |          |
| 114                        | 150                        | 214 75 Provisional filing fee |          |
| SUBTOTAL (1)               |                            |                               |          |

## 2. EXTRA CLAIM FEES

| Extra Claims       | Fee from below | Fee Paid |
|--------------------|----------------|----------|
| Total Claims       | -20** = 0      | X = 0.00 |
| Independent Claims | - 3** = 0      | X = 0.00 |
| Multiple Dependent |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103                        | 18                         | 203 9 Claims in excess of 20                                     |
| 102                        | 80                         | 202 40 Independent claims in excess of 3                         |
| 104                        | 270                        | 204 135 Multiple dependent claim, if not paid                    |
| 109                        | 80                         | 209 40 ** Reissue independent claims over original patent        |
| 110                        | 18                         | 210 9 ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2)               |                            | \$0.00   |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description   | Fee Paid |
|----------------------------|----------------------------|---|----------|
| 105                        | 130                        | 205 65 Surcharge - late filing fee or oath  |          |
| 127                        | 50                         | 227 25 Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                        | 130                        | 139 130 Non - English specification   |          |
| 147                        | 2,520                      | 147 2,520 For filing a request for ex parte reexamination                         |          |
| 112                        | 920*                       | 112 920* Requesting publication of SIR prior to Examiner action                   |          |
| 113                        | 1,840*                     | 113 1,840* Requesting publication of SIR after Examiner action                    |          |
| 115                        | 110                        | 215 55 Extension for reply within first month                                     |          |
| 116                        | 390                        | 216 195 Extension for reply within second month                                   |          |
| 117                        | 890                        | 217 445 Extension for reply within third month                                    |          |
| 118                        | 1,390                      | 218 695 Extension for reply within fourth month                                   |          |
| 128                        | 1,890                      | 228 945 Extension for reply within fifth month                                    |          |
| 119                        | 310                        | 219 155 Notice of Appeal  |          |
| 120                        | 310                        | 220 155 Filing a brief in support of an appeal                                    |          |
| 121                        | 270                        | 221 135 Request for oral hearing  |          |
| 138                        | 1,510                      | 138 1,510 Petition to institute a public use proceeding                           |          |
| 140                        | 110                        | 240 55 Petition to revive - unavoidable   |          |
| 141                        | 1,240                      | 241 620 Petition to revive - unintentional  |          |
| 142                        | 1,240                      | 242 620 Utility issue fee (or reissue)  |          |
| 143                        | 440                        | 243 220 Design issue fee  |          |
| 144                        | 600                        | 244 300 Plant issue fee   |          |
| 122                        | 130                        | 122 130 Petitions to the Commissioner   |          |
| 123                        | 50                         | 123 50 Processing fee under 37 CFR § 1.17(q)                                      |          |
| 126                        | 180                        | 126 180 Submission of Information Disclosure Statement                            |          |
| 581                        | 40                         | 581 40 Recording each patent assignment per property (times number of properties) |          |
| 146                        | 710                        | 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))             |          |
| 149                        | 710                        | 249 355 For each additional invention to be examined (37 CFR § 1.129(b))          |          |
| 179                        | 710                        | 279 355 Request for Continued Examination (RCE)                                   |          |
| 169                        | 900                        | 169 900 Request for expedited examination of a design application                 |          |
| Other fee (specify)        |                            |   |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$700.00

## Complete (if applicable)

|                   |                             |                                   |        |           |               |
|-------------------|-----------------------------|-----------------------------------|--------|-----------|---------------|
| Name (Print/Type) | Michael S. Gzybowski        | Registration No. (Attorney/Agent) | 32,816 | Telephone | 219-424-8000  |
| Signature         | <i>Michael S. Gzybowski</i> |                                   |        | Date      | July 23, 2001 |

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.